

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Customer Number: 53080  
Takahiko MURATA, et al. : Confirmation Number: 8016  
Application No.: 10/759,570 : Group Art Unit: 2622  
Filed: January 20, 2004 : Examiner: Albert H. CUTLER  
For: SOLID STATE IMAGING APPARATUS, METHOD FOR DRIVING THE SAME AND  
CAMERA USING THE SAME

## RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

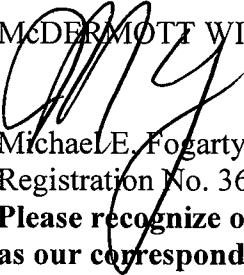
Sir:

Noting the Office Action of March 3, 2009 wherein restriction has been required, Applicant hereby elects Species II, identifying Figs. 4 and 5, and claims 5, 15, 18, 19, 21, 23, 28-30, and 35-38 readable thereon, for prosecution in the above-identified application.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP

  
Michael E. Fogarty  
Registration No. 36,139

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Date: March 26, 2009